



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Keiiti Ogura et al. Art Unit : 2875
Serial No. : 09/966,740 Examiner : Dalei Dong
Filed : October 1, 2001
Title : LIGHT EMITTING DEVICE

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
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REPLY TO ACTION OF DECEMBER 11, 2003

In reply to the office action of December 11, 2003, applicants submit the following remarks.

Claims 1-49 are pending with claims 1, 6, 12, 18, 23, 27, 33, and 42 being independent.

Independent claim 1, along with dependent claims 2-5, have been rejected as being unpatentable over Sakaguchi (U.S. Patent No. 5,990,615) in view of Fujita (U.S. Patent No. 5,962,962). Applicants request reconsideration and withdrawal of this rejection because neither Sakaguchi, Fujita, nor any proper combination of the two describes or suggests a barrier film on which is formed an absorption film on which is formed a passivation film, as recited in claim 1.

As noted in applicants' prior response, Sakaguchi describes an EL element that is covered by an insulative protecting layer 8 that is surrounded by an inert liquid 12 contained within a metal or glass sealing member 9. See Sakaguchi at Fig. 1 and col. 2, line 35 to col. 3, line 15. Thus, while Sakaguchi's protecting layer 8 arguably could be said to correspond to the barrier film recited in claim 1, Sakaguchi nowhere describes or suggests anything comparable to the recited absorption film and passivation film. Moreover, while Sakaguchi describes a dehydrating agent and an oxygen absorber, these materials are not included as part of an absorption film. Rather, they are included as part of the inert liquid 12. See Sakaguchi at col. 3, lines 9-15.

Similarly, Fujita describes an organic EL device 10 that is present in a space formed by the concave portion of a housing material 18 fixed onto a glass substrate 11. The remainder of the space is filled with an inert liquid layer 20 that then surrounds the organic EL device. See Fujita at col. 17, lines 4-26. At col. 12, lines 3-6, Fujita notes that a protective layer may be

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